

Murphy Man Got Fat Bus Concession

(Continued from page 10)

Q—No, he bought the bus, I bought the bus for him.

Q—For him? A—Under his name, but not for him? A—Literally it is his.

Admits He May Have Got It

Q—On the face of the papers he has a temporary claim to it after he has paid for it, but you do not intend, do you, that that is going to be your bus? A—No, I may give it away. It may burn up before it is sold.

Q—If it escapes the flames, when it is paid for, it will fall to you, won't it? A—Unless I give it to somebody.

After stating that he went about selling buses in the regular way, Mr. Shearn asked him to give the details.

Mr. McCarthy said the late Arthur H. Murphy, Tammany leader of the Bronx, introduced him to Thomas F. Lynch in July, 1921.

The witness said that after he had obtained information about improved buses, such as he thought would do the work in Eighty-sixth Street, he called on Commissioner Whalen, and called with him.

Q—You were talking about this interesting thing you had with Commissioner Whalen? A—Yes, sir; and when the bus arrived I invited him to come and see it, and he was very much taken with it, and he immediately put it on the streets to work, and I perceived it had been there since. Mr. Lynch bought another bus, and then he buses that you talked to me about came along.

How He Got Permits

Q—What was the regular way in which you went about getting the permits for Higgins? You have described how you got the permit for Lynch. A—Yes, sir. On the Higgins bus I simply called him on the telephone and said I knew a man that had another bus of the kind he liked and was as efficient on the road.

Q—You just called Commissioner Whalen on the telephone? A—Yes, sir.

Q—So when it came down to getting a permit for Higgins you just called the Commissioner up on the telephone? A—Yes, sir.

Q—You did not go to them a second time? A—No, sir; only the first time.

Q—Now, when did you buy this bus for George Allen? A—The same day as Higgins.

Q—What was the price of that—the same as the other? A—Yes, sir.

Q—And you made approximately the same cash payment? A—Exactly the same.

Q—And then you delivered to the International people the twelve notes signed by Allen? A—Yes, sir.

Q—When that bus is paid for, if it does not burn up and if you don't give it away first, it will belong to you, won't it? A—It might.

Q—How did you get the permit for Allen? A—The same transaction, the same day.

Q—Oh, you got another permit the same day? A—Yes.

Ready to Get More

Q—Just called Whalen up on the telephone and got two permits? A—Yes, sir. If you folks leave them on the street, I will try to get some more for my poor friends.

Q—In reference to Fred McDonald when he got a permit, did you have anything to do with that? A—The same thing.

Q—Did you buy the bus for McDonald? A—No, McDonald bought a bus.

Q—That was handled in the same way? A—The same way.

Q—McDonald, an employee of yours, signed the notes, you put up the cash, and when the bus is fully paid for, if it does not burn up in the first time or if you don't give it away it will belong to you? A—Is there any crime in this, judge?

Q—That is for my friend across the way, Mr. Banton, but I am not asserting any crime. A—I did not know it was a crime to help your poor friends.

Q—How did you get the permit for McDonald? A—The same way. These buses are the greatest things; you ought to take a ride in them. They are beautiful. Why, all the people wait for these buses; they wait for the others to pass to get in them.

Q—I believe in all of it except the rotten politics of it, Mr. McCarthy.

A—Well, you know something about politics.

Q—Did you also buy the two buses for Lynch? A—I arranged for the purchase of them; yes, sir.

Q—Well, they were bought from this same International company? A—Yes, sir.

Q—And did you put up the money? A—No, sir.

Q—Who put up the money? A—You will have to ask Lynch.

Q—I haven't been able to find Lynch.

Lynch Does Collecting

Q—It appears here that Lynch collected the proceeds of these three buses of yours—101, 102 and 442? A—I have told him to collect.

Q—What kind of arrangement have you got with Lynch? A—None at all; no arrangement.

Q—Well, what does he do with the money that he collects on your three buses? A—Puts it in the bank, or is supposed to.

Q—In his name? A—In his name.

Q—Can Lynch draw checks on that account? A—Not unless I give him power of attorney.

Q—Well, do you? A—No, sir.

After questioning the witness at length about the considerable duties of Lynch, Mr. Shearn asked:

Q—Is Lynch supposed to get a share of the profits of operation? A—No such arrangement was ever made.

Q—So far as any claim is concerned, he just does all that work for you and does not yet any pay out of it? A—That is correct.

Q—Was it the understanding, then, that he was to supervise these lines and do all this work that has been described in return for your getting him a permit to operate on Eighty-sixth Street? A—When he got a permit I had no idea of ever having any financial interest in any bus, and there was never any arrangement made with him, directly or indirectly.

Q—How does it come about that Billy Murphy goes up there and collects the proceeds from these cars some of the time? A—I put him there.

Q—Who is this Billy Murphy? A—He is one of those men who enlisted in the 69th Regiment during the war and stayed overseas a couple of years and came back here and went into my employ in the building material business. He resigned and I put him on the bus line to help Mr. Lynch.

The witness said he gave Lynch a drawing account of \$25 a week from which to pay Murphy.

May Give Him Interest

Q—What is the understanding about his having an interest in the business when the machines are paid for? A—I might give it to him if I am in that humor.

Q—Isn't the fact that you bought the buses in the way that has been described and got the permits and put them into the service with the understanding that when they were paid for young William Murphy should have them? A—No, sir, it is not.

Q—What do you mean by saying you might give them to him? A—I don't intend to stay in the bus business. When these buses pay for themselves, I will give them to someone that needs them.

Q—Give them to some one? A—That needs to make a living that way.

Q—Give them to some worthy young man? A—Yes.

Q—Did you tell William Murphy, when you sent him up there in February, that if everything turned out all right you might turn the cars over to him in some time? A—I told him when he went there to study the business and help Mr. Lynch, after the buses were paid for, why then I would talk with him.

Q—Let us see, are you the same Mr. McCarthy who was a defendant in the Corn Products Refining Company litigation? A—The same man.

Proud To Be Murphy's Friend

Q—You were formerly a partner of Charles F. Murphy? A—I never was a partner of Charles F. Murphy, except a great friend of his, of which I am very proud.

Q—Well, we all like him, I guess. You are very close to Mayor Hylan, too, aren't you? A—Yes, I thought he was a good man to run for Mayor five years ago when so many people were looking for the nomination. I was very proud he was nominated and elected.

Q—You are the discoverer of Mayor Hylan? A—I don't think so. I think the people discovered him.

Q—Don't you take the credit for discovering him? A—I talked quite some and I cannot remember anything about that.

Q—You were the treasurer of the Hyman Committee of 107? A. I was.

Q—That put him in nomination, weren't you? A. Yes, sir.

Q. And collected campaign contribu-

tions? A. Yes, sir, and paid out more than I collected.

Q. Yes, I guess you did; you went into your own pocket very deeply. A. Yes, sir, and I never asked him for any favors either.

Q. No, just called up Whalen on the telephone? A. That was not asking a favor; that was doing a favor to the City of New York, giving them good buses, instead of dilapidated ones. You must remember when these buses lines started they got a lot of dilapidated busses from Newark and Connecticut driven by the worst kind of chauffeurs in the world. It was a God-send to get real red-blooded Americans with good buses to take their places.

Assails Budget Increase

"I notice in the proposed budget to-day," remarked Mr. Shearn, "that they are talking about putting \$950,000 increase in salaries into Whalen's department. I realize that that is the department which has charge of this business, where these rotten disclosures have been made, and it does arouse my indignation. When the fire fighters of the city came to the City Hall and asked for increase of \$200 a year they got nothing but insults."

Mr. Shearn asked the witness what he was paying to the city for the rent of his hand and gravel yard at Rivington Street. Mr. McCarthy refused to answer. Chairman McAneny went briefly into the original investment of the witness in the busses, and was told that it was about \$18,500. The chairman requested the witness to send to the commission a transcript of the bank account with reference to Lynch's receipts from the operation of the busses.

Preceding the examination of Mr. McCarthy, Mr. Shearn examined Patrick Biggins, Frederick Kane, Michael Geary, Alfred Thurg, Albert Kershaw, John Burbans, David Cronin, Charles Bletsch, all chauffeurs. In effect they said that they collected fares and turned them over to Thomas F. Lynch, and that it was Lynch who supervised everything. Biggins said that he saw one of the drivers pay money to William Murphy, Frank J. Higgins, an employee of John A. McCarthy, testified to obtaining one of the busses, and his testimony was confirmed by Mr. McCarthy when the latter went on the stand.

The hearing will be resumed at 2:30 this afternoon.

Chicago School Trustee
In Jail Despite Stay
Serves Last Day of Three-Day Sentence, Though Case Is To Be Retried

CHICAGO, Oct. 25.—Hart Hanson, trustee of the Chicago Board of Education, remained in jail to-night to complete his three-day sentence for contempt of court despite a stay of execution granted to-day by Justice O. N. Carter, of the State Supreme Court, pending a petition to the Supreme Court for a rehearing of the case against ten present and former school officials. Hanson said he made his decision after a consultation with an attorney.

The stay halted the attempts to arrest four others who face jail sentences ranging from one to five days.

Two others, Dr. B. Klarkowski, a trustee, and James Rezny, former trustee, who paid fines, completed their one-day sentences at midnight last night after being in jail about six hours, while three women officials also paid fines yesterday.

New Speed Stamps Out Today

From The Tribune's Washington Bureau

WASHINGTON, Oct. 25.—The supply of the old design special delivery stamp has been exhausted and the new issue, depicting a motorcycle messenger delivering a letter, began going out to-day on orders from postmasters.

Ward Must Stand Trial for Murder, Says Prosecutor

Weeks Denies Statements
by Counsel of Baker's
Son That the Indictment
Will Be Set Aside

Walter S. Ward, son of the head of the Ward Baking Company, will be compelled to stand trial for the murder of Clarence Peters, ex-marine, District Attorney Weeks declared yesterday at White Plains.

His statement came as the result of the report that counsel for Ward was about to petition for a dismissal of the indictment if Weeks did not set a definite date for the trial.

John E. Mack, of Poughkeepsie, guardian of baby Guy Stillman in the Stillman case, has been retained as special prosecutor. He has been in conference with Weeks and Sheriff Werner for three days, reviewing the evidence against Ward. It is not believed, however, that the trial will take place before December and possibly not until January, when the term of office of Mr. Weeks expires.

Former Justice Isaac N. Mills, of Mount Vernon, chief counsel for Ward, has said that he will move a dismissal of the indictment early next month unless Weeks sets a date for trial.

Conflicting opinions exist in White Plains as to the evidence of the shooting, which took place last May. Allen E. Campbell, one of Ward's attorneys, said he believed the indictment would be dismissed, classifying the Ward case along with the Elwell affair as an unsolved mystery.

On the other hand, statements from apparently authentic sources indicate that the prosecution has built up a mass of evidence which will force Ward to reveal the alleged blackmail plot, which on the surface has baffled the police authorities so far.

Ward is out on \$50,000 bail.

Body of Slain Woman Found in Fresh Grave

Hat Discovered by Picnickers
Reveals Murder Committed
Near Cleveland

CLEVELAND, Oct. 25.—The body of Mrs. Henry J. Burns, thirty-five years old, of this city, partly clothed, was unearthed from a newly dug grave covered with dead-leaves in a lonely woods five and one-half miles northwest of Painesville late to-day.

Discovery of the grave was made by two Cleveland dentists, Dr. D. C. Connel and Dr. W. R. Beattie, who were hunting chestnuts in the woods when they came across a hat with spots of blood on it. They notified deputy sheriffs at Painesville, who dug up the body.

Examination of the body showed that Mrs. Burns had been shot through the left eye. The back of her head was crushed, while her face was marred by long scars and scratches. No other wounds were on the body. Her wrist watch had stopped at three minutes past twelve and deputy sheriffs believe that was the time when the murder was committed. They are of the opinion that the murderer left the victim in the woods last night and completed the burial this morning.



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